

James H. Weingarten  
Federal Trade Commission  
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Attorney for Plaintiff Federal Trade Commission

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**FEDERAL TRADE COMMISSION,**

Plaintiff,

v.

**RWJ BARNABAS HEALTH, INC.**

and

**SAINT PETER'S HEALTHCARE  
SYSTEM, INC.,**

Defendants.

HON. \_\_\_\_\_

No. \_\_\_\_\_

**AFFIDAVIT OF JAMES H. WEINGARTEN IN SUPPORT OF MOTION  
TO FILE COMPLAINT TEMPORARILY UNDER SEAL**

JAMES H. WEINGARTEN, an attorney acting on behalf of the United States government, declares the following is true and correct under the penalty of perjury.

1. I am a Senior Trial Attorney in the Federal Trade Commission's Bureau of Competition and counsel for Plaintiff Federal Trade Commission in the

above-captioned matter. I have personal knowledge of the facts set forth in this Affidavit. I submit this Affidavit in support of the Federal Trade Commission's Motion to File Complaint Temporarily Under Seal.

2. Plaintiff will file a public version of the Complaint for Temporary Restraining Order and Preliminary Injunction Pursuant to Section 13(b) of the Federal Trade Commission Act (the "Complaint") redacting information that has been designated confidential by Defendants RWJ Barnabas Health, Inc. ("RWJ") and Saint Peter's Healthcare System, Inc. ("Saint Peter's Healthcare").

3. Before bringing this action, the Commission conducted a non-public investigation into RWJ's proposed acquisition of Saint Peter's Healthcare (the "Acquisition"). In the course of that investigation, the Commission obtained discovery from Defendants that is relevant to its Complaint and which Defendants designated as confidential. Plaintiff requests temporary relief to provide Defendants an opportunity to move to permanently seal their confidential information.

Pursuant to 28 U.S.C. § 1746, I state under penalty of perjury that the foregoing is true and correct.

Executed on this 3rd day of June, 2022.

s/ James H. Weingarten  
James H. Weingarten

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